

Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 49 of the Housing (Scotland) Act 2014 (Act) and the Rules of Procedure 2017 (contained in Schedule 1 of the Chamber Procedure Regulations 2017 (SSI No.328)) (Rules)

Chamber Ref: FTS/HPC/LA/23/0828 Parties

Ms Lauren Siddalls (Applicant)

Belvoir Letting- Dundee (Respondent)

Tribunal Members:

Mr Andrew McLaughlin (Legal Member) and Mr David Godfrey (Housing Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (the Tribunal) determined that the Respondent has failed to comply with the Letting Agent Enforcement Order (LAEO) made on 23 August 2023.

Background

[2] In terms of their decision dated 23 August 2023, The Tribunal determined that the Respondent had failed to comply with paragraphs 21,26 86,90,91,93 and 108 of the Code of Practice for Letting Agents (“The Code”) as required by the Act. The Tribunal issued the LAEO of the same date requiring the Respondent:-

- 1. To pay the Applicant the sum of £750.00 in compensation;*
- 2. To inspect the ceiling of the Property affected by the leak within 14 days and to advise the landlord to repair the damp staining and redecorate as necessary.*

Non-compliance

[3] The Applicant submits that there has been non-compliance with the LAEO.

[4] The Tribunal considers that there has been non-compliance with the LAEO.

Right of Appeal

[5] In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first

seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

1 December 2023

Legal Member